



Our Encounter with the Department of Justice

Greg Stevens, Chief of Police
Lubbock Police Department

When the DOJ came calling

- Our City Attorney received a letter in January, 2014 from the DOJ
- Neutral employment practice that resulted in disparate impact
- Job related...and consistent with business necessity

Desperate Impact

- 4/5ths rule – 80%
- Hispanic applicants with regard to written examination
- Female applicants with regard to physical agility

Cognitive Written Test

- Required by Chapter 143
 - Consent Decree overrides 143
 - What to do once decree is lifted?
- I felt we would have prevailed on written test; however, it could not be litigated separately
- Now we have a written test which is part cognitive and part emotional response

Cooper Institute Standard

- We used the 20% for physical agility
 - Fatal flaw
- We had no validity test specific for LPD
 - “off the shelf” test will not suffice
- Now we have a test that has been specifically developed for LPD

LPD Current Physical Agility

- Run and Restrain
 - Purpose is to evaluate the ability to respond quickly to an emergency and control and restrain suspects
 - Involves running in a timely manner to the incident scene and subduing and handcuffing a resistive suspect
 - Also includes a stair climb and pushing a heavy sled

LPD Current Physical Agility

- Arm Endurance
 - Purpose is to determine the ability to exert upper body muscular force repeatedly or continuously over a short period of time
 - Involves cranking an Arm Ergometer, as fast as possible, for one (1) minute at 50 watts
- 1.5 Mile Run
 - Purpose is to evaluate cardiovascular endurance

Lemons into Lemonade

- We saw actual differences in gender success rates in the academy
- We saw that having the non-cognitive portion on the written exam made little difference – but we saw increased honesty on PHS with regard to drug usage
- We saw an increase in Hispanic and female applicants

Lemons into Lemonade

- Opportunity to create life long physical fitness program rather than punitive PT
- Fewer Academy failures
- Momentum was tipping point to reevaluate several other “traditional policies” – topic for sideline discussions
- Our challenge now: we’re fully staffed...so we can’t get out from under decree!!

WE WIN!!!

- We were 39 officers short when this started, out of 433 sworn
- With new officers in the training pipeline, patrol was 54 short
- Net gain of 21 officers in 2016
- Added 10 positions to the budget for FY18
- Class 2018A will have 3 over hires
- I plan to ask for 30 new positions for FY19

When the DOJ comes calling...

You can cry and moan and complain about
your situation...

Or,

You can break our your juicer
and the sugar bowl, and
seize the opportunity!



Discussion
and
Questions?